Docket No.: PHILO.001A Customer No.: 20,995

NOV 1 8 2004 PER TRADENTE

TRANSMITTAL

Applicant

Edman et al.

App. No.

10/772,306

Filed

November 24, 2003

For

USE OF ELECTRIC FIELDS

TO MINIMIZE REJECTION OF IMPLANTED DEVICES

AND MATERIALS

Examiner

Unassigned

Art Unit

3762

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

: = (1)

11/15/

Thomas R. Arno, Reg. No. 40,490

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Thomas R. Arno

Registration No. 40,490

Attorney of Record

Customer No. 20,995

(619) 235-8550



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Edman et al.)
App. No.	:	10/722,306)
Filed	•	November 24, 2003)
For .	:	USE OF ELECTRIC FIELDS TO MINIMIZE REJECTION OF IMPLANTED DEVICES AND MATERIALS)
Examiner	:	Unassigned))

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION AND REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

App. No.

10/722,306

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:

November 24, 2003

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

Dated: & November 2004

By:

PhiloMetron, Inc

Darrel Drinan

Title: President/CEO

Address: 11772 Sorrento Valley Road, Ste. 152

San Diego, CA 92121

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PATENT Client Code: PHILO.001A

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Application No.: 10/772,306 Filing Date: November 24, 2003

ASSIGNMENT

WHEREAS, We, Carl F. Edman, a U.S. citizen, residing at 12545 El Camino Real, Unit C, San Diego, CA 92130, Darrel D. Drinan, a U.S. citizen, residiing at 3830 Valley Center Drive, Suite 705 PMB 224, San Diego, CA 92130, have invented certain new and useful improvements in a USE OF ELECTRIC FIELDS TO MINIMIZE REJECTION OF IMPLANTED DEVICES AND MATERIALS for which we have filed an application for Letters Patent in the United States, Application No. 10/722,306 filed November 24, 2004;

AND WHEREAS, PhiloMetron, Inc. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 11772 Sorrento Valley Road, Ste. 152, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 8 day of November, 2004.

COPY DO NOT RECORD

PATENT Client Code: PHILO.001A Application No.: 10/772,306 Page 2 Filing Date: November 24, 2003 STATE OF California COUNTY OF San Dlego On 8 Nov. 2004, before me, cissy songolia, Notary Public, personally appeared Carl F. Edman personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/aresubscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. [SEAL] CISSY SONGALIA Commission # 1475695 Notary Public - California San Diego County My Comm. Expires Mar 9, 2008 day of November IN TESTIMONY WHEREOF, I hereunto set my hand and seal this STATE OF **COUNTY OF** , personally appeared Darrel D. Drinan _, before me, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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[SEAL]

WITNESS my hand and official seal.

COPY
DO NOT RECORD

Notary Signature